EXHIBIT A

ESX-L-002291-19 03/26/2019 12:05:49 PM Pg 1 of 4 Trans ID: LCV2019534417 Case 2:19-cv-09587-ES-CLW Document 1-2 Filed 04/11/19 Page 2 of 6 PageID: 8

MESCALL & ACOSTA, P.C. 80 Main Street, Suite 360 West Orange, New Jersey 07052 Tel. (973) 669-3339 Fax (973) 669-3331 Attorney ID #: 028561982 **Attorneys for Plaintiff**

LOUISE E. SCALERA.

Plaintiff,

-VS-

DSW DESIGNER SHOE WAREHOUSE/ DSW INC., JOHN DOE (1-10) (fictitious name representing unknown defendant), and ABC CORP. (1-10) (fictitious name representing unknown defendant),

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: ESSEX COUNTY

DOCKET NO:

ESX-L-

CIVIL ACTION

COMPLAINT, JURY DEMAND AND **DESIGNATION OF TRIAL COUNSEL**

Plaintiff LOUISE E. SCALERA currently residing at 81 Sunrise Drive, in the Township of Gilette, County of Morris and State of New Jersey, by way of complaint against defendants herein, states as follows:

COUNT ONE

- 1. On or about February 18, 2018, the Plaintiff LOUISE E. SCALERA was a lawful invitee at a commercial premises known as DSW DESIGNER SHOE WAREHOUSE/DSW INC., and located at 1515 US Highway 22 West, in the Borough of Watchung, County of Somerset and State of New Jersey, when she was caused to fall due to a dangerous condition on the premises.
- 2. On the aforesaid date, and at all other times relevant hereto, the Defendants DSW DESIGNER SHOE WAREHOUSE/DSW INC., JOHN DOE (1-10) (fictitious name representing unknown defendant), and ABC CORP. (1-10) (fictitious name representing unknown defendant), owned, operated, controlled, maintained and/or designed the aforesaid premises.
- The defendants were so negligent as to allow a dangerous condition to exist which created a hazard to persons lawfully on the premises.
- As a result of the negligence of these defendants, the plaintiff sustained severe and grievous 4.

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personal injuries, and has endured and will in the future endure, great pain and suffering.

WHEREFORE, Plaintiff demands judgment against these defendants, jointly, severally and/or individually, for money damages, together with interest and costs of suit.

JAMES C. MESCALL

Dated: March 25, 2019

JURY DEMAND

PLEASE TAKE NOTICE that plaintiff demands trial by jury as to all issues contained in this Complaint.

JAMES C. MESCALL

Dated: March 25, 2019

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that James C. Mescall, Esq., is hereby designated as trial counsel in the above-captioned matter pursuant to Rule 4:25-4.

JAMES C. MESCALL

Dated: March 25, 2019

RULE 4:5-1 CERTIFICATION

The matter in controversy of this action is not the subject of any other court or arbitration proceeding, nor is any other court or arbitration proceeding contemplated.

I HEREBY CERTIFY that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

JAMES C. MESCALL

Dated: March 25, 2019

Appendix XII-B1



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial Law Division
Civil Part pleadings (not motions) under Rule 4:5-1
Pleading will be rejected for filing, under Rule 1:5-6(c),
if information above the black bar is not completed
or attorney's signature is not affixed

| FOR USE BY CLERK'S OFFICE ONLY | | | | |
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| AMOUNT: | | | | |
| OVERPAYMENT: | | | | |
| BATCH NUMBER: | | | | |

| | or attorney's signature is not affixed | | | eteu | BATCH NUMBER: | | | |
|--|--|---|--|---------------|--------------------------------------|--------------|--|--|
| ATTORNEY / PRO SE NA | ME | TELEPHO | NE NUMBER | COUNT | Y OF VENUE | | | |
| James C. Mescall, E | sq. | (973) 66 | 9-3339 | Essex | | | | |
| FIRM NAME (if applicable |) | | | | DOCKET NUMBER (when available) | | | |
| MESCALL & ACOST | A, P.C. | | | | | | | |
| OFFICE ADDRESS | 000 | | | DOCUM | DOCUMENT TYPE | | | |
| 80 Main Street, Suite West Orange, NJ 076 | | | | Comp | Complaint | | | |
| l visot siango, no or | | | | JURY D | JURY DEMAND TYPES NO | | | |
| NAME OF PARTY (e.g., Jo | hn Doe, Plaintiff) | CAPTION | | | | | | |
| Louise E. Scalera | | Louise E. Scalera vs. DSW Designer Shoe Warehouse, et al | | | | | | |
| | | | | | | | | |
| CASE TYPE NUMBER | HURRICANE SANDY | | | | | | | |
| (See reverse side for listing | | IS THIS A PROFES | IS THIS A PROFESSIONAL MALPRACTICE CASE? | | | | | |
| 605 | ☐ YES ■ NO | | | | 3 A -27 AND APPLICA | BLE CASE LAW | | |
| RELATED CASES PENDIN | NG? | REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT. IF YES, LIST DOCKET NUMBERS | | | | | | |
| ☐ YES | | | | | | | | |
| DO YOU ANTICIPATE AD | | NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) | | | | | | |
| (arising out of same transaction or occurrence)? | | None | | | | | | |
| | RMATION PROVIDED | ON THIS FORM | SANNOT DE INI | FRADILIAE | DINTO EVIDEN | Unknown | | |
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| DO PARTIES HAVE A CUF | S FOR PURPOSES OF DET | IF YES, IS THAT RELA | | JR MEDIA III | ON | | | |
| RECURRENT RELATIONSHIP? | | EMPLOYER/EMPLOY | EE DF | | ND/NEIGHBOR DTHER (explain) | | | |
| ☐ YES | ■ No | ☐ FAMILIAL | В | USINESS | | | | |
| DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? | | | | | | ■ No | | |
| USE THIS SPACE TO ALE ACCELERATED DISPOSIT | RT THE COURT TO ANY SE | PECIAL CASE CHARA | CTERISTICS THAT | MAY WARR | ANT INDIVIDUAL MAI | NAGEMENT OR | | |
| ACCELERATED DISPOSITION | | | | | | | | |
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| DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? | | | | | | | | |
| DO YOU OR YOUR DO YES | NO | CCOMMODATIONS? | IF YES, PLEASE ID | ENTIFY THE RI | EQUESTED ACCOMMODA | ATION | | |
| WILL AN INTERPRE | TER BE NEEDED? | | IF YES, FOR WHAT LANGUAGE? | | | | | |
| ☐ YES ■ NO | | | | | | | | |
| I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule</i> 1:38-7(b). | | | | | | | | |
| ATTORNEY SIGNATURE: | | | | | | | | |
| | | | | | | | | |

Effective 10/10/2018, CN 10517

Side 2

CIVIL CASE INFORMATION STATEMENT

| CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.) Track I - 150 days' discovery 151 NAME CHANDE 152 FORFEITURE 153 FORFEITURE 153 FORFEITURE 154 FORFEITURE 155 FORFEITURE 156 FORFEITURE 157 FORFEITURE 157 FORFEITURE 158 FORFEITURE 159 REAL-PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction) 150 BOOK ACCOUNT (debt collection matters only) 150 OTHER INSURANCE CLAIM (including declaratory judgment actions) 150 OTHER INSURANCE CLAIM (including declaratory judgment actions) 151 Jud or UIM CLAIM (coverage issues only) 151 ACTION ON REGOTIABLE INSTRUMENT 151 LEMON LAW 152 LEMON LAW 153 OTHER (briefly describe nature of action) 153 OTHER (briefly describe nature of action) 154 CHANDER CONTRACT/COMMERCIAL TRANSACTION 155 CONSTRUCTION 155 CONSTRUCTION 155 CONSTRUCTION 155 CONSTRUCTION 155 CONSTRUCTION 156 CONTRACT/COMMERCIAL TRANSACTION 157 CONTRACT/COMMERCIAL TRANSACTION 158 CONTRACT/COMMERCIAL TRANSACTION 159 CONTRACT/COMMERCIAL TRANSACTION 150 CONTRACT/COMMERCIAL TRANSACTION 151 COMPLEX CONTRACT/COMMERCIAL TRANSACTION 152 CONTRACT/COMMERCIAL TRANSACTION 153 COMPLEX CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES 155 EMPLOYMENTAL MALPRACTICE 156 EMPLOYMENTAL MALPRACTICE 157 CONTRACT/CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES 157 CACC FORT TRANSACTION 151 EMPLOYMENTAL MALPRACTICE 152 EMPLOYMENTAL MALPRACTICE 153 COMPLEX CONSTRUCTION 154 EMPLOYMENTAL MALPRACTICE 155 EMPLOYMENTAL MALPRACTICE 156 EMPLOYMENTAL MALPRACTICE 157 COMPLEX CONSTRUCTION 158 EMPLOYMENTAL MALPRACTICE 159 COMPLEX CONSTRUCTION 151 EMPLOYMENTAL MALPRACTICE 150 COMPLEX CONSTRUCTION 151 EMPLOYMENTAL MALPRA | | (CTS) Use for initial pleadings (not motions) under <i>Rule</i> 4:5-1 | | | | |
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| If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics. Please check off each applicable category Putative Class Action Title 59 | in the s | he space under "Case Characteristics. | | | | |

Effective 10/10/2018, CN 10517 page 2 of 2

Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-002291-19

Case Caption: SCALERA LOUISE VS DSW DESIGNER

SHOE WA REHOUSE

Case Initiation Date: 03/26/2019 Attorney Name: JAMES C MESCALL Firm Name: MESCALL & ACOSTA PC

Address: 80 MAIN ST, STE 360 WEST ORANGE NJ 07052

Phone:

Name of Party: PLAINTIFF : Scalera, Louise, E
Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 12 JURORS Hurricane Sandy related? NO

Is this a professional malpractice case? NO

Related cases pending: NO If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same

transaction or occurrence)? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO If yes, please identify the requested accommodation:

Will an interpreter be needed? NO If yes, for what language:

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

03/26/2019 Dated /s/ JAMES C MESCALL Signed